

JS 44C/SDNY  
REV. 7/2012

## JUDGE FAILLA

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

14 CV 7222

PLAINTIFFS  
DRESSER-RAND COMPANY, DRESSER-RAND CANADA, INC., AND  
DRESSER-RAND GROUP INC.

DEFENDANTS  
INGERSOLL RAND COMPANY, AND INGEROSLL RAND COMPANY  
LIMITED

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) ATTORNEYS (IF KNOWN)

Hodgson Russ LLP  
1540 Broadway, 24th Floor  
New York, New York 10036 212-751-4300

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 1332 - Diversity Jurisdiction (Breach of Contract); 28 U.S.C. 2201 (Declaratory Judgment)

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY -	[ ] 610 AGRICULTURE
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	[ ] 365 PERSONAL INJURY	[ ] 620 OTHER FOOD &
[ ] 130 MILLER ACT	LIABILITY	PRODUCT LIABILITY	DRUG
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	[ ] 368 ASBESTOS PERSONAL	[ ] 625 DRUG RELATED
INSTRUMENT	SLANDER	INJURY PRODUCT	SEIZURE OF
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	LIABILITY	PROPERTY
OVERPAYMENT &	EMPLOYERS'		21 USC 881
ENFORCEMENT	LIABILITY	<b>PERSONAL PROPERTY</b>	[ ] 630 LIQUOR LAWS
OF JUDGMENT	[ ] 340 MARINE		[ ] 640 RR & TRUCK
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 370 OTHER FRAUD	[ ] 650 AIRLINE REGS
[ ] 152 RECOVERY OF	LIABILITY	[ ] 371 TRUTH IN LENDING	[ ] 660 OCCUPATIONAL
DEFAULTED	[ ] 350 MOTOR VEHICLE	[ ] 380 OTHER PERSONAL	SAFETY/HEALTH
STUDENT LOANS	[ ] 355 MOTOR VEHICLE	PROPERTY DAMAGE	[ ] 690 OTHER
(EXCL VETERANS)	PRODUCT LIABILITY	[ ] 385 PROPERTY DAMAGE	
RECOVERY OF	[ ] 360 OTHER PERSONAL	PRODUCT LIABILITY	<b>LABOR</b>
OVERPAYMENT	INJURY		[ ] 710 FAIR LABOR
OF VETERAN'S		<b>PRISONER PETITIONS</b>	STANDARDS ACT
BENEFITS		[ ] 510 MOTIONS TO	LABOR/MGMT
[ ] 160 STOCKHOLDERS		VACATE SENTENCE	RELATIONS
SUITS		20 USC 2255	REPORTING &
[x] 190 OTHER		[ ] 530 HABEAS CORPUS	DISCLOSURE ACT
CONTRACT		[ ] 535 DEATH PENALTY	LABOR/MGMT
[ ] 195 CONTRACT		[ ] 540 MANDAMUS & OTHER	REPORTING &
PRODUCT			DISCLOSURE ACT
LIABILITY			[ ] 740 RAILWAY LABOR ACT
[ ] 196 FRANCHISE			[ ] 790 OTHER LABOR
			LITIGATION
			[ ] 791 EMPL RET INC
			SECURITY ACT
<b>REAL PROPERTY</b>	<b>ACTIONS UNDER STATUTES</b>	<b>PRISONER CIVIL RIGHTS</b>	<b>IMMIGRATION</b>
[ ] 210 LAND	[ ] 441 VOTING	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION
CONDEMNATION	[ ] 442 EMPLOYMENT	[ ] 555 PRISON CONDITION	APPLICATION
[ ] 220 FORECLOSURE	[ ] 443 HOUSING/		[ ] 463 HABEAS CORPUS-
RENT LEASE &	ACCOMMODATIONS		ALIEN DETAINEE
[ ] 230 EJECTMENT	[ ] 444 WELFARE		[ ] 465 OTHER IMMIGRATION
TORTS TO LAND	[ ] 445 AMERICANS WITH		ACTIONS
TORT PRODUCT	DISABILITIES -		
LIABILITY	EMPLOYMENT		
[ ] 245 TORT PRODUCT	[ ] 446 AMERICANS WITH		
LIABILITY	DISABILITIES -OTHER		
[ ] 290 ALL OTHER	[ ] 440 OTHER CIVIL RIGHTS		
REAL PROPERTY	(Non-Prisoner)		

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$ in excess of \$75,000 OTHER declaratory relief

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

## ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented  
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

## BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☒ 4 DIVERSITY

IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1332, 1441)

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [ ] [ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] [ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] [ ]
CITIZEN OF ANOTHER STATE	[X] [ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] [ ]	FOREIGN NATION	[ ] [ ]

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

10205 Westheimer, Suite 1000  
Houston, Texas 77042

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

800-E Beaty Street  
Davidson, NC 28036

## Registered Agent:

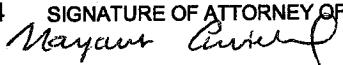
820 Bear Tavern Rd, West Trenton, NJ 08628

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 09/05/14 SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[X] YES (DATE ADMITTED Mo. 4 Yr. 2002)

Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge **MAG DOLINGER** is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)